

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JUNE 8, 2015**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:07 p.m. on Monday, June 8, 2015, with Councillor Lewis presiding.

Councillor Pfisterer led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
0 ABSENT:

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor McQuillen recognized President John Griffin and his team of Central Indiana Building Trades Council. Councillor Cain recognized Matt Barnes, Capital Commission. Councillor Oliver recognized staff of Crispus Attucks High School.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE
COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND
MARION COUNTY, INDIANA

Journal of the City-County Council

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, June 8, 2015, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Maggie A. Lewis
President, City-County Council

May 20, 2015

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, May 22, 2015 a copy of a Notice of Public Hearing on Proposal No. 148, 2015, said hearing to be held on Monday, June 8, 2015, at 7:00 p.m. in the City-County Building.

Respectfully,
s/NaTrina DeBow
Clerk of the City-County Council

May 21, 2015

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, NaTrina DeBow, the following ordinances:

FISCAL ORDINANCE NO. 20, 2015 – approves additional appropriations totaling \$281,000 in the 2015 Budget of the Department of Public Safety, Animal Care and Control and Homeland Security Divisions (City Cumulative Capital Fund) to purchase a mobile medical unit and update, maintain and repair the City-County outdoor emergency warning siren system

FISCAL ORDINANCE NO. 21, 2015 – corrects Fiscal Ordinance No. 4, 2015 (Proposal No. 22, 2015) reallocating \$2,456,229 in the 2015 Budget of the Department of Public Safety, Indianapolis Metropolitan Police Department (IMPD General Fund and IMPD Recruit Subfund) to account for accurate available funds to cover the salaries and benefits of new IMPD recruits

FISCAL ORDINANCE NO. 22, 2015 – appropriates the proceeds of IndyRoads Revenue Bonds, not to exceed \$35 million, to fund the cost of certain street, road, curb and sidewalk projects, along with incidental expenses

GENERAL ORDINANCE NO. 25, 2105 – approves intersection controls at Michigan Street and Buren Place (District 21)

GENERAL ORDINANCE NO. 26, 2015 – authorizes parking restrictions on 33rd Street, Campbell Avenue, Bolton Avenue and Priscilla Avenue as a public safety measure to deter crime and loitering (District 17)

GENERAL ORDINANCE NO. 27, 2015 – authorizes intersection controls on Bolton Avenue and Graham Avenue at 14th Street (District 17)

GENERAL ORDINANCE NO. 28, 2015 – authorizes intersection controls at Brouse Avenue and 51st Street (District 9)

GENERAL ORDINANCE NO. 29, 2015 – authorizes intersection controls at Cruse and Market Streets (Districts 15 and 16)

GENERAL ORDINANCE NO. 30, 2015 – authorizes intersection controls at Michigan Street and Pleasant Run Parkway N. Drive (Districts 17 and 21)

GENERAL ORDINANCE NO. 31, 2015 – authorizes intersection controls at 10th Street, Washington Cove Lane and Winding Hart Drive (District Districts 18 and 21)

GENERAL RESOLUTION NO. 7, 2015 - determines the need to lease approximately 3,373 square feet of space at 5226 Elmwood for use by the Marion County Assessor

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SPECIAL RESOLUTION NO. 20, 2015 – recognizes the KB Readers of Mrs. Laura Nelson's kindergarten class for reading 7,716 books in 75 school days

SPECIAL RESOLUTION NO. 21, 2015 – recognizes the Reading Rock Stars of Indiana Math and Science Academy West for a 100% pass rate on the IREAD-3 Assessment in April 2015

SPECIAL RESOLUTION NO. 22, 2015 – recognizes and supports the nursing profession

SPECIAL RESOLUTION NO. 23, 2015 - recognizes HealthNet for its work in Indianapolis and its unique federal designation among all other Federally Qualified Health Centers in Indiana

SPECIAL RESOLUTION NO. 24, 2015 – recognizes Stefen Stoykov for being accepted into all eight Ivy League schools

SPECIAL RESOLUTION NO. 25, 2015 - recognizes the Indianapolis Alumnae Chapter (IAC) of Delta Sigma Theta Sorority, Inc. for their many years of service to the Indianapolis community

s/Gregory A. Ballard, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councillor Lutz moved, seconded by Councillor Hunter, to add Proposal No. 43, 2015 to the agenda for action under Final Adoption this evening.

PROPOSAL NO. 43, 2015. The proposal, sponsored by Councillors Cain, Evans, Freeman, Gooden, Holliday, Hunter, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Shreve and Lutz, approves a public-private agreement between the Consolidated City of Indianapolis, Marion County, Indiana and WMB Heartland Justice Partners, LLC to design, build, finance, operate and maintain the Consolidated Justice Facility at 340 S. White River Parkway West Drive for use by various Marion County criminal justice entities.

Councillor Simpson asked where the item can currently be found on the agenda. Councillor Lutz stated that it is currently under Pending Proposals at the top of page nine of the agenda.

The motion to add Proposal No. 43, 2015 to the agenda for action failed on the following roll call vote; viz:

13 YEAS: Cain, Evans, Freeman, Gooden, Holliday, Hunter, Lutz, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Shreve

16 NAYS: Adamson, Barth, Clay, Gray, Hickman, Jackson, Lewis, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Scales, Simpson, Tew

Without further objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of May 11, 2015. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 164, 2015. The proposal, sponsored by Councillor Barth, recognizes Bosma Enterprises for 100 years of service. Councillor Barth read the proposal and presented

representatives with copies of the document and Council pins. Lou Moneymaker, president and chief executive officer of Bosma Enterprises, thanked the Council for the recognition. Councillor Barth moved, seconded by Councillor Evans, for adoption. Proposal No. 164, 2015 was adopted by a unanimous voice vote.

Proposal No. 164, 2015 was retitled SPECIAL RESOLUTION NO. 26, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 2015

A SPECIAL RESOLUTION recognizing Bosma Enterprises for 100 years of service.

WHEREAS, Bosma Enterprises was established on September 30, 1915 and was known as the Board of Industrial Aid for the Blind; and

WHEREAS, Bosma, a not-for-profit organization, is Indiana's only provider of programs and services solely focused on people who are blind or visually impaired; and

WHEREAS, having a mission to create opportunities for individuals who are blind or visually impaired, the organization provides employment training, job placement and rehabilitation for visually impaired or blind persons, from adolescents to seniors; and serves approximately 700 individuals through their various programs each year; and

WHEREAS, in addition to their rehabilitation, Bosma is Indiana's largest employer of people with vision loss. This is accomplished through several lines of business. The organization has a total of 191 regular employees, 107 of which are blind or visually impaired; and

WHEREAS, after many years of service, Bosma Enterprises proudly celebrates its 100th Anniversary; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Bosma Enterprises for 100 years of service.

SECTION 2. The Council heartily thanks Bosma Enterprises for its dedicated service to the blind and visually impaired members of our community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 165, 2015. The proposal, sponsored by Councillor Robinson, recognizes Stephan Mitchell for being accepted into seven Ivy League schools. Councillor Robinson read the proposal and presented representatives with copies of the document and Council pins. Mr. Mitchell thanked the Council for the recognition. Councillor Robinson moved, seconded by Councillor Gray, for adoption. Proposal No. 165, 2015 was adopted by a unanimous voice vote.

Proposal No. 165, 2015 was retitled SPECIAL RESOLUTION NO. 27, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 2015

A SPECIAL RESOLUTION recognizing Stephan Mitchell for being accepted into seven Ivy League schools.

WHEREAS, Pike High School senior, Stephan Mitchell, has been accepted into seven of the eight Ivy League colleges and universities; and

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WHEREAS, the seven schools include Brown University, Columbia University, Cornell University, Dartmouth College, Harvard University and the University of Pennsylvania. He is currently waitlisted for Princeton University; and

WHEREAS, Stephan is an International Baccalaureate (IB) student at Pike High School who comes from a family of engineers and physicians; and

WHEREAS, Pike High School, an International Baccalaureate World School since 2004, offers the prestigious IB Diploma Program to its students. It is recognized throughout the world as a premier, pre-university program with comprehensive and rigorous curriculum in which a college-bound student can participate; and

WHEREAS, while in college, Stephan plans to earn a degree in Biology, focusing on neuroscience, and has the ultimate goal of performing neurosurgery and conducting clinical neuroscience research on neurodegenerative diseases, such as Alzheimer's and Amyotrophic Lateral Sclerosis (ALS); and

WHEREAS, Stephan has decided to attend Yale University and is sure to have a bright future ahead; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Stephan Mitchell for being accepted into seven Ivy League schools.

SECTION 2. The Council applauds Stephan for this wonderful achievement and wishes him continued success in all future endeavors.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 166, 2015. The proposal, sponsored by Councillors Lewis, Adamson, Barth, Hickman, Robinson, Hunter, Miller, Evans, McQuillen, Oliver and Clay, recognizes the month of June as National Internet Security Month. Councillor Barth read the proposal and presented representatives with copies of the document and Council pins. Bill Soards, president of AT&T Indiana and former City-County Councillor, thanked the Council for the recognition. Councillor McQuillen moved, seconded by Councillor Miller, for adoption. Proposal No. 166, 2015 was adopted by a unanimous voice vote.

Proposal No. 166, 2015 was retitled SPECIAL RESOLUTION NO. 28, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 2015

A SPECIAL RESOLUTION recognizing the month of June as National Internet Safety Month.

WHEREAS, the City-County Council holds the health, safety and quality of life of its residents as chief concerns; and

WHEREAS, the Council recognizes that the Internet has become an essential tool allowing a better connection with family and friends, a more efficient work environment and a better management of everyday lives; and

WHEREAS, the Council understands that with these benefits, also comes potential new risks to confidential information and privacy, as well as increased exposure to threatening activities such as cyber bullying, aggravation and harmful solicitation; and

WHEREAS, according to a recent national study, parents claim to be more informed about their teens' online activities than teens believe them to be; and

WHEREAS, 43% of teens state that they have posted something online that they later regretted, and older adults often do not participate online due to distrust of the Internet because of questionable content or online actors; and

WHEREAS, the Council recognizes that people of all ages should know how to protect their private accounts and information; and

WHEREAS, the United States Congress has designated June as National Internet Safety Month; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council does hereby proclaim the month of June, 2015 as: "Internet Safety Month."

SECTION 2. The Council encourages the City of Indianapolis and Marion County to recognize the importance of Internet Safety for all users and to observe this month with activities, events and/or educational training that will increase knowledge and awareness of Internet Safety.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 167, 2015. The proposal, sponsored by Councillor Oliver, recognizes Crispus Attucks Medical Magnet High School and the Class of 2015. Councillor Oliver read the proposal and presented representatives with copies of the document and Council pins. Principal Nixon and Mr. Wyan, Magnet Coordinator, thanked the Council for the recognition. Councillor Oliver moved, seconded by Councillor Gray, for adoption. Proposal No. 167, 2015 was adopted by a unanimous voice vote.

Proposal No. 167, 2015 was retitled SPECIAL RESOLUTION NO. 29, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 2015

A SPECIAL RESOLUTION recognizing Crispus Attucks Medical Magnet High School and the Class of 2015.

WHEREAS, 81% of the students at Crispus Attucks Medical Magnet High School take Advanced Placement classes to earn high school and college credits; and

WHEREAS, Crispus Attucks is the only high school in Central Indiana to have a 100% graduation rate from 2012 through 2014; over 50% graduate with an Academic Honors Diploma; and has had a 100% college acceptance rate Since 2011, having its first student to graduate from an Ivy League school, Harvard University, in 2015; and

WHEREAS, the high school has received an "A" rating from the Indiana State Board of Education each year since 2011; and has been noted in US News and World Report as one of the best high schools in Indiana every year since 2012; and

WHEREAS, Crispus Attucks has two Indianapolis Star Academic All Stars, Robert Hawthorne (2011) and Victoria Sedwick (2014), and one Regional Winner, Emma Davidson (2013); and was the Level D2 Basketball Sectional Champion in 2014 and 2015; and

WHEREAS, in 2014, students that were interested in Global Health traveled to Swaziland to work in health clinics, visit peer HIV/Aids patients, and serve as peer mentors to Swazi students sharing an anti-HIV/Aids message. After guidance from the Crispus Attucks students, Swazi Peers carried the anti-Aids/HIV message to over 2,500 of their classmates. Upon returning to the United States, the students shared the message to other students of Crispus Attucks and Park Tudor; and

WHEREAS, Crispus Attucks was awarded the Jefferson Awards' Silver Service Leadership School award for service learning in Central Indiana by the Students In Action Club. The school completed over 50,000 hours of

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community service during the 2014-2015 school year, and the students will represent Crispus Attucks in Washington D.C. at the National convention; and

WHEREAS, in 2006, the Jefferson Awards Foundation and Deloitte launched Students in Action, which develops high school students into community leaders. The program encourages students to positively impact their schools, communities and world, and Crispus Attucks is currently one of its 300 active high schools in communities across the United States; and

WHEREAS, the high school seniors spent 20% of their 2014-2015 school year in internships with community partners, such as Eskenazi Health, where 16 students were provided with experiences in various health professions, as well as Indianapolis Public Schools (IPS)/Peace Learning Center Mental Health Cohort Internship activities. This represents only a portion of the myriad of internship opportunities in which Crispus Attucks students are participating; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Crispus Attucks Medical Magnet High School and the Class of 2015.

SECTION 2. The Council applauds Crispus Attucks and its students for their many achievements and wishes them continued success in future endeavors.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

President Lewis passed the gavel to Vice President Barth.

PROPOSAL NO. 210, 2015. The proposal, sponsored by Councillors Lewis, Robinson, Barth and Hickman, recognizes Helen Haynes, Director of Chapter Relations, Indiana Black Expo, Inc. Councillor Lewis read the proposal and presented representatives with copies of the document and Council pins. Ms. Haynes thanked the Council for the recognition. Councillor Lewis moved, seconded by Councillor Jackson, for adoption. Proposal No. 210, 2015 was adopted by a unanimous voice vote.

Proposal No. 210, 2015 was retitled SPECIAL RESOLUTION NO. 30, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 2015

A SPECIAL RESOLUTION recognizing Helen Haynes, Director of Chapter Relations, Indiana Black Expo, Inc.

WHEREAS, Helen started her professional career with the Pioneer Girl Scout Council in North Carolina where she was employed as a Field Director. She was later promoted to Minority Recruitment and Pluralism Director; and

WHEREAS, a career move for her husband, Michael, landed Helen in Allentown, PA. In Allentown she continued her work with the development of young ladies and worked with the Allentown Girl's Club where she established the Girls Are Leaders (GAL) and Jr. GAL programs. This was a multicultural group of young ladies and Helen helped them develop their self-esteem; and

WHEREAS, in 1987, Helen worked for Big Brothers Big Sisters in Fort Wayne, IN; while continuing her passion to work with young ladies by volunteering with the Minority Women Network overseeing the Jr. Minority Women Network program, of which she was honored for her dedication and mentoring; and

WHEREAS, she joined Big Sisters of Central Indiana in December of 1989 as the Volunteer Program Coordinator, and joined Indiana Black Expo, Inc. as the Director of Chapter and Membership Development in September, 1991. In cooperation with Lilly Endowment, Helen worked with Sterling Tucker and Associates of

Washington, DC to develop and execute a Five Year Strategic Plan, which included chapter relations and development for IBE; and

WHEREAS, under her leadership, fourteen (14) chapters were restructured, and emphasis was placed on developing programs to meet the needs of youth in their chapter cities. Helen organized the first Leadership Training for chapters, and in 1992 organized the first Statewide Conference; and

WHEREAS, Helen Haynes also implemented the License Plate Program in which IBE continues to be the only African American group to have a state license plate. She was also instrumental in developing the Legacy Coordinators group, whose purpose was to sell IBE memberships. Later, the Members Only Club (MOC) was developed for members who joined for \$75 and above. Helen also established the Ambassadors Club, a group of year-round volunteers that helped IBE with activities from office work to promoting IBE in the community. Helen's responsibilities included recruiting and overseeing approximately 1,000 volunteers annually, and she was the staff liaison for the Black Business Conference for eight years; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Helen Haynes for her many contributions to the betterment of young women.

SECTION 2. The Council congratulates Ms. Haynes on over 20 years of commitment to the Indiana Black Expo and the African American community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Vice President Barth returned the gavel to President Lewis.

PROPOSAL NO. 168, 2015. The proposal, sponsored by Councillors Osili, Adamson, Mascari, Gray and Oliver, authorizes the filing of a lawsuit challenging the legal validity of the Vision Fleet contract. Councillor Adamson reported that the Public Works Committee made a motion for General Counsel to prepare this proposal for consideration by the full Council by a vote of 5-1. Councillor Adamson read the proposal and moved for its adoption.

Councillor Gooden moved, seconded by Councillor Miller, to postpone Proposal No. 168, 2015 until July 13, 2015.

Councillor Miller said that he hopes they can give this 30 days for further review, but it is an issue that needs to be resolved. He said that his biggest concern is that the Indianapolis Metropolitan Police Department (IMPD) has at least 27 officers currently driving a Volt electric vehicle, which means they cannot fit all their equipment, including protective wear, into a vehicle. If a lawsuit is entered into immediately, everyone will retreat to their sides, lawyer up, and they will not be able to resolve what he regards as the most frustrating aspect of this contract, putting IMPD officers in the wrong vehicles. He said that he has been working with the administration to resolve this, but the answer he gets is if they are in the middle of a lawsuit, this cannot be resolved.

Councillor Gooden agreed with Councillor Miller and said that in his law practice he always tries to work out the issues before a lawsuit and trial are undertaken. He said that he feels they should try first to sit down and work out these issues without the cost of a lawsuit.

Councillor Gray asked fellow Councillors to support the proposal and oppose the postponement.

Councillor McQuillen asked how a delay would help or hinder the Fraternal Order of Police (FOP) in getting the vehicles their officers need. Rick Snyder, president of the FOP, stated that there has been concern some time regarding the suitability of these vehicles for IMPD. He said that they have attempted to engage the administration in further discussion to identify what could be done to remediate this issue in light of possible pending litigation. There are currently 98 officers using the Chevy Volt, and a push to have 150 officers in those vehicles, which the FOP opposes. He said the practical issue is that if they stop the process at this point, they have at least 98 officers either without a vehicle or remaining in the Volt until this can be worked out. He said that the FOP's position is to have absolutely no Volts in the IMPD, as they are not a conducive platform for their needs. He said that they have inquired as to whether there is a middle ground that can be met with the Ford Fusion, which more accurately meets IMPD's needs, and he believes the vendor is open to making that full transition. However, they do not know if the contract would remain the same with regard to projected savings should this transition take place. He said that if a lawsuit occurs, then all this negotiation for transition could potentially stop and the challenges for IMPD would remain in place. He said that if delayed for 30 days, they would like to see a commitment to address this concern.

Councillor Hunter said that he shares the concern that things need to get worked out. He said that he would like to ask the Vision Fleet representative if filing a lawsuit would stop this negotiation referred to for the transition from Volts to Fusions for IMPD. He added that there is a lot of bi-partisan support for this action, as there are many on both sides of the aisle who have grave concerns about this contract. However, if an immediate lawsuit would stop the current dialogue and make things worse, that is an even bigger concern. President Lewis said that she would entertain having a representative from the administration address the body regarding the proposed delay, but would prefer not to open the floor to having a representative of Vision Fleet speak at this meeting.

Councillor Adamson said that establishing the proper vehicles for IMPD would have happened had the proper deliberative process happened. He said that it does not make sense to him that a 30-day delay would make a difference and stop Vision Fleet from continuing to work out a conversion of the IMPD fleet.

Councillor Sandlin asked if the FOP was represented on the efficiency team that studied these vehicles. Mr. Snyder said that he did serve on Vehicle Fleet Efficiency Team as the FOP's representative. He said that they reviewed the proposal in the goal of moving toward a less fuel-dependent fleet at the direction of the Mayor. He said that the long-term goal is to provide IMPD with pursuit-rated vehicles, but they did issue a report recommending an acceptance of the Fusion to meet their equipment needs. They then learned that the Department of Public Safety had agreed to take Chevy Volts, some to be assigned to IMPD. Councillor Sandlin said that a bi-partisan group of Councillors, including Councillor Mascari, met with Vision Fleet representatives, and those representatives were not aware of the Efficiency Team meeting and the report that came out of that. He said that it is his understanding that since Vision Fleet learned of that report, they have spoken with IMPD regarding the type of vehicles they need. Mr. Snyder said that Vision Fleet has reached out to them to set up a meeting, but that meeting has not yet occurred. He said that their concern, as per their experience in the past, once litigation is pursued, everything stops. If that occurs, IMPD is left with at least 98 officers in the Chevy Volts until it is figured out. He said they support getting to the bottom of all this, but want to support their officers having appropriate transportation in the meantime.

Councillor Simpson moved, seconded by Councillor Adamson, to call the question and end debate. The motion failed on the following roll call vote; viz:

14 YEAS: Adamson, Barth, Clay, Freeman, Gray, Jackson, Lewis, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Simpson

15 NAYS: Cain, Evans, Gooden, Hickman, Holliday, Hunter, Lutz, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Scales, Shreve, Tew

Councillor Mansfield said that many of the questions have nothing to do with the proposal before this body. She said that it has nothing to do with the type of vehicles.

Councillor Freeman said that he supports the proposal and opposes the delay, as he has been on this topic since January. He said that he got involved initially because an officer pulled up in front of his law office in one of the new Volt vehicles, and looked like a meter reader. He said that if something is not done, someone is going to get hurt. He said that he keeps being told to wait another week, and they are going to figure things out. He left on vacation and reads an article that stormwater funds are now being used. He said that he is fed up and tired and it is time to proceed and deal with this now.

Councillor Scales asked if any Councillors have received any kind of communication from the Mayor or his administration that they are willing to work quickly and diligently to resolve this issue and provide IMPD with the needed cars. Councillor Adamson said that they have not gotten any word from the administration.

The motion to postpone failed on the following roll call vote; viz:

11 YEAS: Cain, Evans, Gooden, Holliday, Hunter, Lutz, McHenry, McQuillen, Miller, Pfisterer, Shreve

18 NAYS: Adamson, Barth, Clay, Freeman, Gray, Hickman, Jackson, Lewis, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Sandlin, Scales, Simpson, Tew

Councillor Freeman said that he is a proud Republican, but he is not elected to be a Republican, and he is elected to represent his neighbors and friends, and about half of the police department who happen to live in his Council district. He said that he has watched television presentations and read articles where Vision Fleet is touting this as a political issue, but this is not a political issue. He has been stonewalled since January regarding this issue, and he was thankful Chair Moriarty Adams put this on the agenda at the April Public Safety and Criminal Justice Committee meeting. He said that it was unbelievable to see how this program was being forced down the very throat of the people who are designed to protect this city's citizens. He said that he understands the goal to single-handedly rid themselves of dependency on foreign oil, but these cars simply do not work for IMPD officers. At that meeting, they were presented with a contract that had three quarters blacked out, and the notice was even blacked out. He said that there is no conceivable reason most of this information was blacked out and unavailable. They were told if they wanted to see the contract, they would have to enter into a confidentiality agreement. The very next evening, they received an e-mail from the chief executive officer of Vision Fleet claiming that this was a big misunderstanding, they were all about transparency, and the committee members received the whole contract. This 180 reversal did not make sense to him. They have now received five different versions of this contract, with back-dated signatures on several versions. It was originally a lease agreement, and then a fleet services agreement. He said that it is inconceivable how they have gotten to this point. He said that they probably should not enter into no-bid contracts, and they should probably bring in representatives from IMPD regarding their needs before purchasing cars for them. Using stormwater fees to pay for this contract was the last straw, and it does him no pleasure to say this is not fixable. They are better than this a city. He said that for a \$32 million contract for 425 cars, this police force should be

the best outfitted force in the country at \$74,000 a car. He said that this may hurt him politically, but he is proud to stand up for the taxpayers and vote for what is right.

Councillor Barth said that he agrees with Councillor Freeman, and the Mayor and his administration have done everything possible to keep this contract from coming to light, keeping it from the Council, IMPD and the public. He said they jumped through hoops, blackening contracts, hiding details and holding secret negotiations. He said that this should not be a surprise, as the same thing has happened over and over with this administration, such as with the Covanta deal. He said that this has to stop and the peoples' interest has to come first.

Councillor Mascari said his greatest concern is who is responsible, and accountability is the most important thing. He said that this has happened over and over with the cricket park, the deer kill, the justice center, to name a few, and it has got to stop.

Councillor Hickman said that she heard Mr. Snyder say they need more cars, and asked if they want to force their officers into more cars that are not acceptable to do their jobs, or fix it and make sure they are in the proper cars.

Councillor Adamson said that he read an article in the Indy Star from the CEO of Vision Fleet, and it was very sad to him that this out-of-state company was so concerned about their bottom line, but they have completely forgotten that the laws that were broken are there to protect the assets of the people from abuse of power. He said his opinion of this company is evolving, and they continue to assert that they are not politicians, they are just engineers. They have claimed to be trying to fix the many issues with this program that have cropped up, issues that most probably would have been revealed during the deliberative process had it occurred. He said that he believes they may be working to solve these issues, but as the stewards of the public trust and resources, this fiscal body is obligated to defend this trust when it is broken. Just as Vision Fleet's responsibility is to their shareholders, this body's responsibility is to the citizens, not political parties. He said that he personally supports the program to convert to an electric fleet, but this is an issue of the chief executive acting outside the scope of his authority, as he has done repeatedly over the last seven years. He said that the history of communication by this administration has taught them that sometimes a third party, the judicial branch, needs to be involved when the executive branch has proven that they are not willing to compromise and negotiate with the judicial branch. He said that this process does not have to take years and cost millions of dollars, if the Mayor would just admit that they screwed up.

Councillor Pfisterer said that a lot of accusations and good points have been made, but she does not understand why the first line of defense has to be a lawsuit. She said that given all the publicity, there is some leverage for reasonable minds to sit down and work something out. She said that a 30-day delay would not have the impact to the citizens that a lawsuit would, and the negotiation stoppage that could be caused by an immediate lawsuit would harm IMPD. Therefore, she cannot support the proposal.

Councillor Simpson agreed with Councillor Freeman, and said that the Mayor vetoed the ordering of 100 police cars, and the Council overrode that veto. He said if there is a shortage in cars, he is confused, because they should be out there. He said that if one does not play by the rules, there should be consequences. He said that as a member of this fiscal body, he should not have to sign a confidentiality agreement with regard to contracts that are using taxpayer dollars.

Councillor Sandlin said debate is good, and this is about following the law. He said that he spent a career in law enforcement, and still works in investigations, and it is important to follow the

law. He is concerned, however, that they cannot postpone for 30 days to reach a solution; but will still support the proposal. He said that in the language of the proposal, it reads “this ordinance,” and he asked if the language should instead be “this resolution.” General Counsel Fred Biesecker

Councillor Miller said that since the motion to postpone has failed, he hopes he has an amendment that will make moving forward easier for everyone. He made the following motion:

Madam President:

I move to amend Proposal No. 168, 2015 by renumbering Section 4 as Section 5 and inserting a new Section 4 to read as follows:

SECTION 4. In order to allow time for alternate resolutions of this matter, the General Counsel shall not file the lawsuit contemplated by this resolution until after the regular meeting of this Council on July 13, 2015

Councillor McQuillen seconded the motion.

Councillor Gray said that they just voted this down. Councillor Miller said that this is a little different, because the proposal will still pass this evening, but will simply not be acted on for 30 days. He said that this is not about him trying to make life easier on the Mayor and the administration, but is designed to try and save the taxpayers some money from an immediate lawsuit.

Councillor McHenry asked what a lawsuit will cost, as it will be taxpayer dollars footing the bill. She said that she would like an estimated cost, both minimum and maximum, so that she knows what it will be costing taxpayers. Mr. Biesecker said that litigation and negotiation can go on at the same time. This language would not allow filing until July 13, 2015. There are already response deadlines of 15 days, and 30 days to continue, so they would be looking at September for any action. He said that the lawsuit filing in court would not look much different than what he has drafted in the resolution. He said that the filing itself would not cost much. President Lewis said that Mr. Biesecker is on retainer, and his work is covered in the Council budget. If it would go over that amount, then they would have to come back to the Council for an additional appropriation.

Councillor Hunter asked if anyone from the administration is in attendance. He said that he supports the proposal, but as he is hearing, the litigation could be continued, as they continue to negotiate. He said that if both sides go to their foxhole, though, he asked how that could impact.

Councillor Mansfield said that they need to stay germane to the proposal. Councillor Hunter said that his question is with regard to the delay, which is germane to the amendment being proposed.

Mr. Snyder said that the FOP are adamantly in support of getting to the bottom of this problem, but they still have an issue left with regard to these 98 vehicles. He said they want a Plan B separate from whatever they do tonight, so that this transition is not affected throughout the litigation process.

Councillor Gray said that whatever they do tonight will not take those officers out of those cars. Instead they need to be thinking about putting some people in jail for breaking laws, and there should be even further investigation.

Councillor McQuillen asked if 30 days would give more time to discuss litigation with the administration. Bart Brown, Chief Financial Officer, said that they have been in discussion with the administration and Vision Fleet on how to remedy this problem of a contract that was not vetted properly. An additional 30 days might be able to give them enough time to come back to the Council and administration with ways they could make this contract legal. He said 30 days would give them an opportunity to possibly make some headway.

Councillor Clay said that he believes there is a sense of urgency, and the citizens deserve better than what they have been getting.

Councillor Clay moved, seconded by Councillor Adamson, to call the question and end debate on the motion to amend. The motion carried and debate was ended by the following roll call vote; viz:

18 YEAS: Adamson, Barth, Clay, Freeman, Gray, Hickman, Holliday, Jackson, Lewis, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Scales, Simpson, Tew
11 NAYS: Cain, Evans, Gooden, Hunter, Lutz, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Shreve

The motion to amend failed on the following roll call vote; viz:

11 YEAS: Evans, Gooden, Holliday, Hunter, Lutz, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Shreve
18 NAYS: Adamson, Barth, Cain, Clay, Freeman, Gray, Hickman, Jackson, Lewis, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Scales, Simpson, Tew

Councillor Freeman said that there are all kinds of different people, and sometimes negotiation can work, and litigation can be postponed. He hopes that the vote this evening will show the administration that this Council is serious, and if no headway is made, then he is fully behind following through with the litigation in this matter.

Councillor Jackson said that this contract is illegal and using stormwater fees is also illegal. She said that this is no better than money laundering, and if she had done it, she would be arrested and indicted. She said that citizens are facing flooding and many other issues as a result of recent rains, and those stormwater services are important. She said this is about doing what is right for their citizens.

Councillor Robinson moved, seconded by Councillor Adamson, to call the question and end debate. The motion carried on the following roll call vote; viz:

21 YEAS: Adamson, Barth, Cain, Clay, Freeman, Gooden, Gray, Hickman, Holliday, Jackson, Lewis, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Scales, Simpson, Tew
8 NAYS: Evans, Hunter, Lutz, McHenry, McQuillen, Miller, Sandlin, Shreve

Councillor Adamson moved, seconded by Councillor Freeman, for adoption. Proposal No. 168, 2015 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Barth, Clay, Freeman, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Moriarty Adams, Oliver, Osili, Robinson, Sandlin, Scales, Simpson, Tew
6 NAYS: Cain, Evans, Gooden, McQuillen, Pfisterer, Shreve

Councillors Lutz, Oliver, Hickman, Miller, and Gooden asked for consent to explain his vote. Consent was given. Councillor Lutz said that he has asked for stormwater projects in his district for several years and has yet to see one take place. Taking stormwater funds for this contract is unconscionable. He said that he would have supported waiting 30 days, but he thinks there is no excuse for the way this contract has been handled, and hopefully, this vote will send a message to other vendors entering into contracts with this city. Councillor Oliver said that there was a breach in the way this contract was bid. Councillor Hickman said that if negotiations come to fruition, the litigation can be stopped, but the passage of the proposal will hopefully serve as an impetus to get the parties to meet and negotiate in order to forego that litigation. Councillor Miller said that he hopes in any negotiations, the priority will be getting officers the cars and equipment they need to keep this county safe. Councillor Gooden said that he opposed the proposal because the pre-emptory paragraphs seemed to draw some legal conclusions, while still asking the court to adjudicate it, and therefore he could not support the proposal as written.

President Lewis asked for consent to make the change of wording from “ordinance” to “resolution” as Councillor Sandlin noted earlier. Consent was given.

Proposal No. 168, 2015 was retitled COUNCIL RESOLUTION NO. 35, 2015, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 35, 2015

PROPOSAL FOR A COUNCIL RESOLUTION authorizing the filing of a lawsuit challenging the legal validity of the Vision Fleet contract.

Whereas, on December 12, 2012, Mayor Ballard issued Executive Order No. 6, 2012, declaring that it is city policy “to purchase and/or lease electric vehicles and/or plug-in hybrid electric vehicles to meet all of its passenger vehicle needs,” and that the Purchasing Division of the Office of Finance and Management (“OFM”) would be responsible for implementing the Executive Order; and

Whereas, in August 2013, Mayor Ballard executed a Memorandum of Understanding with Vision Fleet Company (“Vision”), giving Vision “exclusivity to make reasonable progress on the deal,” and stating that the parties “wish to utilize this MOU as a framework for a definitive agreement”; and

Whereas, on February 18, 2014, the city entered into a no-bid, long-term \$32 million “Lease Agreement” with Vision for 425 electric and/or plug-in hybrid cars; and

Whereas, the Lease Agreement was entered into illegally for at least five separate reasons: (1) it was not competed under IC 5-22-7 or IC 5-22-9; (2) it was not handled by the purchasing division of OFM; (3) it was not approved by the board of public works; (4) it was for a term in excess of 4 years, contrary to IC 5-22-17-3(b); and (5) it did not specify that payment and performance obligations are subject to the appropriation and availability of funds, as required by IC 5-22-17-3(d); and

Whereas, in June 2014, at the city’s request, Vision executives signed a new document entitled “Master Fleet Agreement,” which made no reference to the original Lease Agreement; and

Whereas, the actual signature dates of the Vision executives (June 12 and June 13) were then whited out and backdated to February 18, 2014, and the cover page of the agreement was also backdated to February 18, 2014, in an effort to mislead the council and the public and conceal the existence of the original Lease Agreement; and

Whereas, on October 28, 2014, Mayor Ballard publicly announced the Vision deal; and

Whereas, the first version of the Vision contract provided to council staff contained unjustified redactions as well as the altered and backdated signature page and cover page; and

Whereas, when a complete copy of the contract was finally produced in late April 2015, it still contained the altered and backdated signature page and cover page and made no mention of the original Lease Agreement; and

June 8, 2015

Whereas, despite the city's belated effort to characterize the Vision contract as a "services agreement," under state law it is a lease-purchase agreement for supplies; and

Whereas, even assuming that it is a services agreement, it would still be illegal because it was not handled by the purchasing division of OFM and was not approved by the board of public works, both of which are required by local ordinance; and

Whereas, on May 21, 2015, the council's Public Works Committee voted to request the preparation of this resolution; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The council hereby authorizes its general counsel and clerk to prepare and file a lawsuit challenging the legal validity of the "Master Fleet Agreement" between Indy-Vision Funding I, LLC, and the Consolidated City of Indianapolis, Indiana, acting through its Department of Public Works, dated (actually, backdated) February 18, 2014, as well as all amendments thereto and any predecessor agreements or other related agreements.

SECTION 2. The lawsuit may seek any and all appropriate relief, including preliminary and permanent injunctive relief and a declaratory judgment that the contract was void from its inception and/or is otherwise voidable, illegal and unenforceable.

SECTION 3. The lawsuit will be conducted in accordance with the litigation procedures set forth in Council Rule 151-7.

SECTION 4. This resolution shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 147, 2015. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 147, 2015 on May 18, 2015. The proposal, sponsored by Councillors Lewis and Adamson, appoints Kenneth Allen to the Board of Code Enforcement. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 147, 2015 was adopted on the following roll call vote; viz:

19 YEAS: Adamson, Barth, Cain, Evans, Gooden, Gray, Hickman, Holliday, Jackson, Lewis, Mansfield, McHenry, Miller, Moriarty Adams, Oliver, Pfisterer, Robinson, Sandlin, Tew
0 NAYS:
10 NOT VOTING: Clay, Freeman, Hunter, Lutz, Mascari, McQuillen, Osili, Scales, Shreve, Simpson

Proposal No. 147, 2015 was retitled COUNCIL RESOLUTION NO. 36, 2015, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 36, 2015

A COUNCIL RESOLUTION appointing Kenneth Allen to the Board of Code Enforcement.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Code Enforcement, the Council appoints:

Kenneth Allen

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies, unless the duration of the holdover period for this office is limited by statute.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 163, 2015. Introduced by Councillors Oliver, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Joshua Bowling to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 169, 2015. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Janai Downs to the Equal Opportunity Advisory Board", and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 170, 2015. Introduced by Councillors Robinson and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Greg Stowers to the Equal Opportunity Advisory Board", and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 171, 2015. Introduced by Councillor Hickman. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which transfers \$1,099,181 from the County General fund to the Auditor's Ineligible Deduction fund in the 2015 budget of the Marion County Auditor's Office for costs related to the homestead verification process and appropriates \$2,119,000 in the Auditor's Ineligible Deduction fund to cover contractual expenses related to the homestead verification process as well as records modernization efforts", and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 172, 2015. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$1,500,000 and transfers appropriation between characters in the 2015 Budget of the Marion County Information Services Agency, for covering the costs associated with enterprise-wide network infrastructure improvements", and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 173, 2015. Introduced by Councillors Lewis and Barth. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Elizabeth Gore to the Metropolitan Board of Zoning Appeals, Division II", and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 174, 2015. Introduced by Councillors Lewis and McQuillen. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Revised Code to establish a regional development authority"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 175, 2015. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Camille Blunt to the Indianapolis-Marion County Public Library Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 176, 2015. Introduced by Councillors Moriarty Adams and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates and transfers a total of \$1,825,000 in the 2015 Budget of the Marion Superior Court (County General Fund, Guardian Ad Litem Fund, Commissioner & Guardian Ad Litem Fund) to cover court

appointed special advocate contractual services provided by Child Advocates, Inc.”, and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 177, 2015. Introduced by Councillors Moriarty Adams and Hunter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$104,000 (County General Fund) in the 2015 Budget of the Marion County Public Defender Agency to hire additional staff for the TPR/CHINS Division to cover an increase in case filings. The appropriation will be offset by a forty percent reimbursement from the Indiana Public Defender Commission”, and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 178, 2015. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which transfers a total of \$50,000 in the 2015 Budget of the Office of Finance and Management (Public Safety Income Tax Fund) to cover costs related to public safety test supplies for interview and assessment process for entry-level applicants:, and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 179, 2015. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Sec. 531-401 of the Revised Code regarding general requirements for animal care and treatment"; and the President referred it to the Community Affairs and Education Committee.

PROPOSAL NO. 180, 2015. Introduced by Councillor Gooden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Barlum and Meadowbrook Drives (District 3)”, and the President referred it to the Public Works Committee.

PROPOSAL NO. 181, 2015. Introduced by Councillor Gooden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on East 54th Street (District 3)”, and the President referred it to the Public Works Committee.

PROPOSAL NO. 182, 2015. Introduced by Councillor Gooden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Northview and Guilford Avenue (District 3)”, and the President referred it to the Public Works Committee.

PROPOSAL NO. 183, 2015. Introduced by Councillor Gooden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Carrollton and Guilford Avenues and Forest Lane and Winthrop Avenue (District 3)”, and the President referred it to the Public Works Committee.

PROPOSAL NO. 184, 2015. Introduced by Councillor Gooden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Rosslyn Avenue and 61st Street (District 3)”, and the President referred it to the Public Works Committee.

PROPOSAL NO. 185, 2015. Introduced by Councillors Simpson and Osili. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on East St. Clair Street from Pennsylvania Street to Park Avenue (Districts 9 and 15 ”, and the President referred it to the Public Works Committee.

PROPOSAL NO. 186, 2015. Introduced by Councillor Freeman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Sunset

Ridge Parkway, Moonstruck Parkway and Moonstruck Court (District 25)", and the President referred it to the Public Works Committee.

PROPOSAL NO. 187, 2015. Introduced by Councillor Freeman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Ashland Pointe Place and Thompson Road, at Ashland Pointe Drive and Five Points Road, Cedar Mill Lane and Ashland Pointe Place and at Cedar Mill Way and Skipping Stone Drive (District 25)", and the President referred it to the Public Works Committee.

PROPOSAL NO. 188, 2015. Introduced by Councillor Freeman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Shakamak Drive and Thompson Road and at Shakamak Court and Shakamak Drive and Shakamak Way (District 25)", and the President referred it to the Public Works Committee.

PROPOSAL NO. 189, 2015. Introduced by Councillor Tew. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Revised Code by adding a new Article II to Chapter 909 (Lobbyists) establishing the Indianapolis-Marion County Lobby Registration Commission"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 205, 2015. Introduced by Councillor Moriarty Adams and McQuillen. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Jeffery M. Heinzmann as hearing officer to preside over the administrative adjudication of parking citations and environmental violations", and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 206, 2015. Introduced by Councillor Moriarty Adams and McQuillen. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Maura J. Hoff as hearing officer to preside over the administrative adjudication of parking citations and environmental violations

PROPOSAL NO. 207, 2015. Introduced by Councillor Moriarty Adams and McQuillen. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of John C. Krause as hearing officer to preside over the administrative adjudication of parking citations and environmental violations", and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 208, 2015. Introduced by Councillor Moriarty Adams and McQuillen. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Howard L. Stevenson as hearing officer to preside over the administrative adjudication of parking citations and environmental violations", and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 209, 2015. Introduced by Councillor Moriarty Adams and McQuillen. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Kurt A. Webber as hearing officer to preside over the administrative adjudication of parking citations and environmental violations", and the President referred it to the Administration and Finance Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 161 and 162, 2015 on May 18, 2015. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 161, 2015. The proposal, sponsored by Councillors Simpson and Osili, authorizes a final bond ordinance for the issuance of multi-family housing revenue bonds not to exceed \$12,500,000 to assist in the financing of the MAH Northside Flats project consisting of approximately 219 units located along Pennsylvania and Delaware streets (Districts 9, 15) and approves and authorizes other actions in respect thereto. PROPOSAL NO. 162, 2015. The proposal, sponsored by Councillors Simpson and Osili, authorizes a final bond ordinance for the issuance of multi-family housing revenue bonds not to exceed \$11,000,000 to assist in the financing of the MAH Mid-Town Flats project consisting of approximately 283 units located along North Pennsylvania, Delaware and Meridian Streets and North College Avenue (Districts 8, 9, 15) and approves and authorizes other actions in respect thereto. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal Nos. 161 and 162, 2015 were adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew

0 NAYS:

1 NOT VOTING: McQuillen

Proposal No. 161, 2015 was retitled SPECIAL ORDINANCE NO. 1, 2015, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 2015

A SPECIAL ORDINANCE authorizing the City of Indianapolis, Indiana, to issue one or more series of its City of Indianapolis, Indiana Multifamily Housing Revenue Bonds, Series 2015 (MAH Northside Flats Project) (with such further series or other designation as determined to be necessary, desirable or appropriate), in a maximum aggregate principal amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code 36-7-11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, pursuant to the Act, the City of Indianapolis, Indiana (the "City") is authorized to issue revenue bonds for the purpose of financing, reimbursing or refinancing the costs of acquisition, construction, renovation, installation and equipping of economic development facilities in order to foster diversification of economic development and creation or retention of opportunities for gainful employment in or near the City; and

WHEREAS, MAH Northside Flats, L.P. (the "Developer") desires to finance a portion of the costs of acquisition, design, construction, renovation, improvement and/or equipping of the following existing apartment buildings currently known as, located in Indianapolis, Indiana at and consisting of the number of apartment units as follows: (1) Barbee located at 1215 N. Pennsylvania St. consisting of approximately 38 units; (2) Windsor located at 1235 N. Delaware St. consisting of approximately 38 units; (3) Sherwood located at 1304 N. Delaware St. consisting of approximately 105 units; and (4) Jordan located at 1445 N. Delaware St. consisting of approximately 38 units (collectively, the "Project"); and

WHEREAS, the Developer has advised the Indianapolis Economic Development Commission (the "Commission") and the City concerning the Project, and has requested that the City issue, pursuant to the Act, one or more series of its taxable or tax-exempt Multifamily Housing Revenue Bonds, Series 2015 (MAH Northside Flats Project) (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued)(the "Bonds"), in an aggregate principal amount

not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000), for the purpose of providing funds for paying all or a portion of the costs of the Project including but not limited to paying all incidental expenses incurred on account of the issuance of the Bonds; and

WHEREAS, the Economic Development Commission has rendered a report concerning the proposed financing of economic development facilities for the Developer and the Metropolitan Development Commission has been given the opportunity to comment thereon; and

WHEREAS, pursuant to Section 24 of the Act, the Economic Development Commission held a public hearing on May 13, 2015, following publication of a notice duly given (the "Public Hearing"), for the purpose of receiving evidence and testimony on the Project and matters related to the proposed financing thereof and heard all persons interested in the proceedings and considered written remonstrances and objections, if any; and

WHEREAS, following such Public Hearing, the Economic Development Commission approved a report (the "EDC Report") and adopted a resolution (the "EDC Resolution") making findings that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the City, and that the Project will not have an adverse competitive effect or impact on any similar facility already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, pursuant to and in accordance with the Act, the City desires to provide funds necessary to finance all or a portion of the Project by issuing the Bonds; and

WHEREAS, the Act provides that such revenue bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the City intends to issue the Bonds consistent with the terms of this Ordinance and pursuant to a Trust Indenture, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Indenture"), by and between the City and a corporate trustee to be selected by the City (the "Trustee"), in order to obtain funds necessary to provide for the financing of all or a portion of the Project in accordance with the terms of a Financing Agreement, to be dated as of the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Financing Agreement"), by and between the City and the Developer with respect to the Bonds and the Project, and to enter into a Pilot Agreement (the "Pilot Agreement") by and among the City by and through its Department of Metropolitan Development and the Developer; and

WHEREAS, pursuant to the Financing Agreement, the Developer will make representations, warranties and commitments with respect to the Project and the use of the proceeds of the Bonds to be provided to the Developer in accordance with the terms thereof; and

WHEREAS, no member of the City-County Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the City-County Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16; and

WHEREAS, there has been submitted to the Economic Development Commission for its approval the forms of the Bonds, the Indenture, the Financing Agreement and the Pilot Agreement (collectively, the "Financing Documents"), and a form of this proposed Ordinance, which were incorporated by reference in the Economic Development Commission's Resolution adopted on May 13, 2015, which Resolution has been transmitted hereto; and

WHEREAS, the City expects to pay for certain costs of the Bonds or costs related to the Project (collectively, the "Expenditures") prior to the issuance of the Bonds, and to reimburse the Expenditures with proceeds received by the City upon the issuance of the Bonds; and

WHEREAS, the City-County Council desires to declare its intent to reimburse the Expenditures pursuant to Treas. Reg. §1.150-2 and Indiana Code §5-1-14-6(c); and

WHEREAS, based upon the EDC Report and EDC Resolution, the City-County Council hereby finds and determines that the funding approved by the Economic Development Commission for all or a portion of the Project will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to finance all or a portion of the costs of the Project, together with incidental expenses incurred in connection therewith, will require the issuance, sale and delivery of one or more series of revenue bonds in an aggregate combined principal amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000):

June 8, 2015

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. After considering the evidence presented in the EDC Report and EDC Resolution, it is hereby found, determined, ratified and confirmed that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the use of the net proceeds thereof by the Developer to finance all or a portion of the Project, will: (i) result in the diversification of industry, the creation or retention of business opportunities and the creation or retention of opportunities for gainful employment within the jurisdiction of the City; (ii) serve a public purpose, and will be of benefit to the health and general welfare of the City; (iii) comply with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the diversification of industry, the creation or retention of business opportunities, and the creation or retention of opportunities for gainful employment and providing affordable multifamily housing within the jurisdiction of the City; and (iv) not have a material adverse competitive effect on any similar facilities already constructed or operating in or near Marion County, Indiana.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the City-County Council (the "Clerk") or the Controller of the City (the "Controller"). In compliance with Indiana Code 36-1-5-4, two (2) copies of the Financing Documents are on file in the office of the Clerk for public inspection.

SECTION 3. The City is authorized to issue the Bonds in one or more series, any series of which may be taxable or tax-exempt for federal income tax purposes, in the maximum aggregate principal amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000), with a maximum term not to exceed four (4) years and with a maximum interest rate not to exceed three percent (3.0%) per annum, for the purpose of procuring funds to pay all or a portion of the costs of the Project by making the proceeds of the Bonds available as set forth in the Financing Documents and pay all incidental expenses incurred on account of the issuance of the Bonds. The Bonds shall be payable as to principal and interest solely as provided in the Financing Documents and this Ordinance. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City.

SECTION 4. The Mayor and the Controller are authorized and directed to sell the Bonds to the purchaser or purchasers thereof at a price not less than 98.5% of the aggregate principal amount thereof plus accrued interest, if any, at a rate of interest not to exceed three (3.0%) per annum, and with a final maturity date no later than four (4) years from the date of the issuance of any series of the Bonds. One or more bond purchase agreements and/or one or more qualified entity purchase agreements, each in form and substance acceptable to the Mayor and the Controller (collectively, the "Purchase Agreements"), are hereby authorized and approved, and the Mayor and the Controller are hereby authorized and directed to execute and deliver the Purchase Agreements in form and substance acceptable to them and consistent with the terms and conditions set forth in this Ordinance. If necessary or desirable in connection with the sale of the Bonds, the Mayor, the Controller and any other officer of the City are authorized to enter into one or more continuing disclosure undertaking agreements, in compliance with Rule 15c2-12 of the Securities and Exchange Commission, which will be in such a form as may be deemed necessary, appropriate or desirable by the Mayor, the Controller and any other officer of the City, with such to be conclusively evidenced by their execution thereof.

SECTION 5. The Mayor and the Clerk are authorized and directed to execute the Financing Documents, and the Mayor, the Controller, the Clerk and any other officer of the City are authorized and directed to execute such other documents approved or authorized herein and any other document which may be necessary, appropriate or desirable to consummate the transaction contemplated by the Financing Documents and this Ordinance, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds may be facsimile signatures. The Mayor, the Clerk, the Controller and any other officer of the City are authorized to arrange for the delivery of the Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and the Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in those Financing Documents which do not require the signature of the Mayor or the Clerk without further approval of this City-County Council or the Economic Development Commission if such changes do not affect terms set forth in Sections 27(a)(1) through and including (a)(10) of the Act.

SECTION 6. The provisions of this Ordinance and the Financing Documents shall constitute a contract binding between the City and the holder or holders of the Bonds and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. Subject to the provisions of Sections 5 and 13 of this Ordinance, if necessary or desirable, a Preliminary Official Statement of the City relating to the Bonds (the "Preliminary Official Statement"), in a form acceptable to the Mayor, is hereby (a) authorized and approved, together with such changes in form and substance as may be deemed necessary or appropriate by the Mayor pursuant to Sections 5 and 13 of this Ordinance, (b) authorized and approved, as the same may be appropriately confirmed, modified and amended pursuant hereto, for distribution as the Preliminary Official Statement of the City, (c) authorized to be deemed and determined by the Mayor on behalf of the City, as of its date, to constitute the "final" official statement of the City with respect to the Bonds to be offered thereby, subject to completion as permitted by and otherwise pursuant to the provisions of Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule"), and (d) authorized and approved, consistent with the provisions of any Purchase Agreement and the SEC Rule, to be placed into final form and distributed and delivered to purchasers and potential purchasers of the Bonds offered thereby as the final official statement of the City, as of the date thereof, with respect to the Bonds (the "Official Statement").

SECTION 8. Subject to the obligations of the Developer set forth in the respective Financing Agreements and/or the certificates or agreements of such Developer to be executed upon the issuance of the Bonds, if any of the Bonds are issued on a tax-exempt basis for purposes of federal income taxation, the City will use its best efforts to restrict the use of the proceeds of the Bonds in such a manner and to expectations at the time the Bonds are delivered to the purchasers thereof, so that they will not constitute "arbitrage bonds" under Section 148 of the Code and the regulations promulgated thereunder, or to preserve any other desired tax status under the Code. The Mayor, the Controller and the Clerk, or any other officer having responsibility with respect to the issuance of the Bonds, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the City, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the Bond proceeds as of the date of issuance thereof.

SECTION 9. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this ordinance, the Financing Documents or under any judgment obtained against the City, including without limitation its Economic Development Commission, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Financing Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City, including without limitation its Economic Development Commission, either directly or through the City, or otherwise, for the payment for or to the City or any receiver thereof or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may remain due and unpaid by the City upon any of the Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any at them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Financing Agreement and the issuance, sale and delivery of the Bonds.

SECTION 10. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 11. All ordinances, resolutions and orders or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 12. It is hereby determined that all formal actions of the City-County Council relating to the adoption of this Ordinance were taken in one or more open meetings of the Council, that all deliberations of the City-County Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5, as amended.

SECTION 13. The Mayor, the Controller, the Clerk and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute, attest and deliver such further instruments and documents, and to take such further actions, in the name of the City as in their judgment shall be necessary or advisable in order fully to consummate the transactions described herein and carry out the purposes of this Ordinance, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved. The Mayor or his designee is hereby authorized to enter into one or more project agreements with the Company, on terms and conditions acceptable to the Mayor, together with any all changes as may be necessary, desirable or appropriate, which shall be evidenced by his execution thereof.

June 8, 2015

SECTION 14. The City-County Council hereby declares its official intent, to the extent permitted by law, to issue the Bonds in one or more series or issues, not to exceed the maximum aggregate principal amount authorized herein, and to reimburse costs of the Project consisting of the Expenditures from proceeds of the sale of the Bonds.

SECTION 15. This Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14.

Proposal No. 162, 2015 was retitled SPECIAL ORDINANCE NO. 2, 2015, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 2, 2015

A SPECIAL ORDINANCE authorizing the City of Indianapolis, Indiana, to issue one or more series of its City of Indianapolis, Indiana Multifamily Housing Revenue Bonds, Series 2015 (MAH Mid-Town Flats Project) (with such further series or other designation as determined to be necessary, desirable or appropriate), in a maximum aggregate principal amount not to exceed Eleven Million Dollars (\$11,000,000), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code 36-7-11.9 and 12 (collectively, the “Act”) declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, pursuant to the Act, the City of Indianapolis, Indiana (the “City”) is authorized to issue revenue bonds for the purpose of financing, reimbursing or refinancing the costs of acquisition, construction, renovation, installation and equipping of economic development facilities in order to foster diversification of economic development and creation or retention of opportunities for gainful employment in or near the City; and

WHEREAS, MAH Mid-Town Flats, LLC (the “Developer”) desires to finance a portion of the costs of acquisition of the following existing apartment buildings currently known as, located in Indianapolis, Indiana at and consisting of the number of apartment units as follows: (1) Admiral located at 3025 N. Meridian St. consisting of approximately 49 units; (2) Marblehead located at 3310 N. Meridian St. consisting of approximately 36 units; (3) Harrison located at 1320 N. Delaware St. consisting of approximately 84 units; (4) Marleigh located at 1434 N. Delaware St. (tax address 1448 N. Delaware St.) consisting of approximately 48 units; (5) Rotherwood located at 1503 N. Pennsylvania St. consisting of approximately 60 units; and (6) Walbrook located at 1102 N. College Ave. consisting of approximately 6 units (collectively, the “Project”); and

WHEREAS, the Developer has advised the Indianapolis Economic Development Commission (the “Commission”) and the City concerning the Project, and has requested that the City issue, pursuant to the Act, one or more series of its taxable or tax-exempt Multifamily Housing Revenue Bonds, Series 2015 (MAH Mid-Town Flats Project) (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued)(the “Bonds”), in an aggregate principal amount not to exceed Eleven Million Dollars (\$11,000,000), for the purpose of providing funds for paying all or a portion of the costs of the Project including but not limited to paying all incidental expenses incurred on account of the issuance of the Bonds; and

WHEREAS, the Economic Development Commission has rendered a report concerning the proposed financing of economic development facilities for the Developer and the Metropolitan Development Commission has been given the opportunity to comment thereon; and

WHEREAS, pursuant to Section 24 of the Act, the Economic Development Commission held a public hearing on May 13, 2015, following publication of a notice duly given (the “Public Hearing”), for the purpose of receiving evidence and testimony on the Project and matters related to the proposed financing thereof and heard all persons interested in the proceedings and considered written remonstrances and objections, if any; and

WHEREAS, following such Public Hearing, the Economic Development Commission approved a report (the “EDC Report”) and adopted a resolution (the “EDC Resolution”) making findings that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the City, and that the Project will not have an adverse competitive effect or impact on any similar facility already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, pursuant to and in accordance with the Act, the City desires to provide funds necessary to finance all or a portion of the Project by issuing the Bonds; and

WHEREAS, the Act provides that such revenue bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the City intends to issue the Bonds consistent with the terms of this Ordinance and pursuant to a Trust Indenture, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Indenture"), by and between the City and a corporate trustee to be selected by the City (the "Trustee"), in order to obtain funds necessary to provide for the financing of all or a portion of the Project in accordance with the terms of a Financing Agreement, to be dated as of the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Financing Agreement"), by and between the City and the Developer with respect to the Bonds and the Project, and to enter into a Pilot Agreement (the "Pilot Agreement") by and among the City by and through its Department of Metropolitan Development and the Developer; and

WHEREAS, pursuant to the Financing Agreement, the Developer will make representations, warranties and commitments with respect to the Project and the use of the proceeds of the Bonds to be provided to the Developer in accordance with the terms thereof; and

WHEREAS, no member of the City-County Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the City-County Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16; and

WHEREAS, there has been submitted to the Economic Development Commission for its approval the forms of the Bonds, the Indenture, the Financing Agreement and the Pilot Agreement (collectively, the "Financing Documents"), and a form of this proposed Ordinance, which were incorporated by reference in the Economic Development Commission's Resolution adopted on May 13, 2015, which Resolution has been transmitted hereto; and

WHEREAS, the City expects to pay for certain costs of the Bonds or costs related to the Project (collectively, the "Expenditures") prior to the issuance of the Bonds, and to reimburse the Expenditures with proceeds received by the City upon the issuance of the Bonds; and

WHEREAS, the City-County Council desires to declare its intent to reimburse the Expenditures pursuant to Treas. Reg. §1.150-2 and Indiana Code §5-1-14-6(c); and

WHEREAS, based upon the EDC Report and EDC Resolution, the City-County Council hereby finds and determines that the funding approved by the Economic Development Commission for all or a portion of the Project will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to finance all or a portion of the costs of the Project, together with incidental expenses incurred in connection therewith, will require the issuance, sale and delivery of one or more series of revenue bonds in an aggregate combined principal amount not to exceed Eleven Million Dollars (\$11,000,000):

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. After considering the evidence presented in the EDC Report and EDC Resolution, it is hereby found, determined, ratified and confirmed that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the use of the net proceeds thereof by the Developer to finance all or a portion of the Project, will: (i) result in the diversification of industry, the creation or retention of business opportunities and the creation or retention of opportunities for gainful employment within the jurisdiction of the City; (ii) serve a public purpose, and will be of benefit to the health and general welfare of the City; (iii) comply with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the diversification of industry, the creation or retention of business opportunities, and the creation or retention of opportunities for gainful employment and providing affordable multifamily housing within the jurisdiction of the City; and (iv) not have a material adverse competitive effect on any similar facilities already constructed or operating in or near Marion County, Indiana.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the City-County Council (the "Clerk") or the Controller of the City (the "Controller"). In compliance with Indiana Code 36-1-5-4, two (2) copies of the Financing Documents are on file in the office of the Clerk for public inspection.

SECTION 3. The City is authorized to issue the Bonds in one or more series, any series of which may be taxable or tax-exempt for federal income tax purposes, in the maximum aggregate principal amount not to exceed Eleven Million Dollars (\$11,000,000), with a maximum term not to exceed ten (10) years and with a maximum interest rate not to exceed seven percent (7.0%) per annum, for the purpose of procuring funds to pay all or a portion of the costs of the Project by making the proceeds of the Bonds available as set forth in the Financing Documents and pay all incidental expenses incurred on account of the issuance of the Bonds. The Bonds shall be payable as to principal and interest solely as provided in the Financing Documents and this Ordinance. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City.

SECTION 4. The Mayor and the Controller are authorized and directed to sell the Bonds to the purchaser or purchasers thereof at a price not less than 98.5% of the aggregate principal amount thereof plus accrued interest, if any, at a rate of interest not to exceed seven (7.0%) per annum, and with a final maturity date no later than ten (10) years from the date of the issuance of any series of the Bonds. One or more bond purchase agreements and/or one or more qualified entity purchase agreements, each in form and substance acceptable to the Mayor and the Controller (collectively, the "Purchase Agreements"), are hereby authorized and approved, and the Mayor and the Controller are hereby authorized and directed to execute and deliver the Purchase Agreements in form and substance acceptable to them and consistent with the terms and conditions set forth in this Ordinance. If necessary or desirable in connection with the sale of the Bonds, the Mayor, the Controller and any other officer of the City are authorized to enter into one or more continuing disclosure undertaking agreements, in compliance with Rule 15c2-12 of the Securities and Exchange Commission, which will be in such a form as may be deemed necessary, appropriate or desirable by the Mayor, the Controller and any other officer of the City, with such to be conclusively evidenced by their execution thereof.

SECTION 5. The Mayor and the Clerk are authorized and directed to execute the Financing Documents, and the Mayor, the Controller, the Clerk and any other officer of the City are authorized and directed to execute such other documents approved or authorized herein and any other document which may be necessary, appropriate or desirable to consummate the transaction contemplated by the Financing Documents and this Ordinance, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds may be facsimile signatures. The Mayor, the Clerk, the Controller and any other officer of the City are authorized to arrange for the delivery of the Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and the Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in those Financing Documents which do not require the signature of the Mayor or the Clerk without further approval of this City-County Council or the Economic Development Commission if such changes do not affect terms set forth in Sections 27(a)(1) through and including (a)(10) of the Act.

SECTION 6. The provisions of this Ordinance and the Financing Documents shall constitute a contract binding between the City and the holder or holders of the Bonds and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. Subject to the provisions of Sections 5 and 13 of this Ordinance, if necessary or desirable, a Preliminary Official Statement of the City relating to the Bonds (the "Preliminary Official Statement"), in a form acceptable to the Mayor, is hereby (a) authorized and approved, together with such changes in form and substance as may be deemed necessary or appropriate by the Mayor pursuant to Sections 5 and 13 of this Ordinance, (b) authorized and approved, as the same may be appropriately confirmed, modified and amended pursuant hereto, for distribution as the Preliminary Official Statement of the City, (c) authorized to be deemed and determined by the Mayor on behalf of the City, as of its date, to constitute the "final" official statement of the City with respect to the Bonds to be offered thereby, subject to completion as permitted by and otherwise pursuant to the provisions of Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule"), and (d) authorized and approved, consistent with the provisions of any Purchase Agreement and the SEC Rule, to be placed into final form and distributed and delivered to purchasers and potential purchasers of the Bonds offered thereby as the final official statement of the City, as of the date thereof, with respect to the Bonds (the "Official Statement").

SECTION 8. Subject to the obligations of the Developer set forth in the respective Financing Agreements and/or the certificates or agreements of such Developer to be executed upon the issuance of the Bonds, if any of the Bonds are issued on a tax-exempt basis for purposes of federal income taxation, the City will use its best efforts to restrict the use of the proceeds of the Bonds in such a manner and to expectations at the time the Bonds are delivered to the purchasers thereof, so that they will not constitute "arbitrage bonds" under Section 148 of the Code and the regulations promulgated thereunder, or to preserve any other desired tax status under the Code. The Mayor, the Controller and the

Clerk, or any other officer having responsibility with respect to the issuance of the Bonds, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the City, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the Bond proceeds as of the date of issuance thereof.

SECTION 9. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this ordinance, the Financing Documents or under any judgment obtained against the City, including without limitation its Economic Development Commission, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Financing Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City, including without limitation its Economic Development Commission, either directly or through the City, or otherwise, for the payment for or to the City or any receiver thereof or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may remain due and unpaid by the City upon any of the Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any at them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Financing Agreement and the issuance, sale and delivery of the Bonds.

SECTION 10. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 11. All ordinances, resolutions and orders or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 12. It is hereby determined that all formal actions of the City-County Council relating to the adoption of this Ordinance were taken in one or more open meetings of the Council, that all deliberations of the City-County Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5, as amended.

SECTION 13. The Mayor, the Controller, the Clerk and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute, attest and deliver such further instruments and documents, and to take such further actions, in the name of the City as in their judgment shall be necessary or advisable in order fully to consummate the transactions described herein and carry out the purposes of this Ordinance, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved. The Mayor or his designee is hereby authorized to enter into one or more project agreements with the Company, on terms and conditions acceptable to the Mayor, together with any all changes as may be necessary, desirable or appropriate, which shall be evidenced by his execution thereof.

SECTION 14. The City-County Council hereby declares its official intent, to the extent permitted by law, to issue the Bonds in one or more series or issues, not to exceed the maximum aggregate principal amount authorized herein, and to reimburse costs of the Project consisting of the Expenditures from proceeds of the sale of the Bonds.

SECTION 15. This Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14.

The President called for any motions for public hearings on any of those zoning maps changes. Councillor Hickman moved, seconded by Councillor Mansfield, to schedule Proposal No. 199, 2015 for public hearing at the July 13, 2015 Council meeting.

Councillor Hunter said that this is in his district, and has been an entrenched issue within the Town of Cumberland, including lawsuits, several public hearings, and review by historic landmarks. This case is about process and although he struggles with the proposed use. He said that the town does not oppose the use, but wants the property rezoned differently, even though part of their property is already zoned the same. He said that this is within an excluded town's boundaries, and he believes the process has been followed, and the church and community are

still working to seek a home-rule solution. He asked fellow Councillors to support the rezoning, and he will continue to work with the neighbors as it continues.

Councillor Hickman said that she is an at-large Councillor and therefore serves all of Marion County. She said that she understands why the people of Cumberland are against this gas station in their community. She said that they cannot force decisions on residents to affect their quality of life and property values. She said that she was contacted by neighborhood groups, and must bring it forward.

The motion to schedule Proposal No. 199, 2015 for a public hearing failed on the following roll call vote; viz:

7 YEAS: Barth, Gray, Hickman, Mansfield, Oliver, Robinson, Scales

21 NAYS: Adamson, Cain, Clay, Evans, Freeman, Gooden, Holliday, Hunter, Jackson, Lewis, Lutz, Mascari, McHenry, Miller, Moriarty Adams, Osili, Pfisterer, Sandlin, Shreve, Simpson, Tew

1 NOT VOTING: McQuillen

PROPOSAL NO. 190, 2015, PROPOSAL NOS. 191-199, 2015 AND PROPOSAL NOS. 200-204, 2015. Introduced by Councillor Robinson. Proposal No. 190, 2015, Proposal Nos. 191-199, 2015 and Proposal Nos. 200-204, 2015 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on May 4, 6 and 20, 2015. The President called for any further motions for public hearings on any of those zoning maps changes. There being no further motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 32-46, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 32, 2015.

2014-ZON-077

5249 and 5253 East 30th Street, 2924, 2931 and 2932 Butler Avenue, 2922, 2928 & Prop No. 190, 2015

2934 Hawthorne Lane (Approximate Address)

WARREN TOWNSHIP, CD #17

Vietnamese American Buddhist Association, by David E. Dearing request Rezoning of 2.55 acres from the D-5 (FF) and D-5 districts to the SU-1 (FF) and SU-1 classifications to provide for religious uses and the construction of a two-story, 4,000-square foot community building.

REZONING ORDINANCE NO. 33, 2015.

2015-ZON-004

3904 Rockville Road (Approximate Address)

Wayne Township, CD #14

TRG Partners, LLC, by Justin Gifford request Rezoning of 0.22 acre, from the C-3 district, to the C-4 classification to provide for automobile tire sales.

REZONING ORDINANCE NO. 34, 2015.

2015-ZON-006

4628 East County Line Road (Approximate Address)

Perry Township, CD #24

Costco Wholesale, by Theodore R. Johnson request Rezoning of 10.99 acres, from the D-A district, to the C-4 classification to provide for a retail warehouse, fueling center and tire center.

REZONING ORDINANCE NO. 35, 2015.

2015-ZON-008

8407 Moore Road (Approximate Address)

Pike Township, CD #1

Mark and Vera Vander Kooy, by Thomas H. Engle request Rezoning of 28.42 acres, from the D-S (FF) and D-1 (FF) districts to the D-A (FF) classification to provide for agricultural uses.

REZONING ORDINANCE NO. 36, 2015.

2015-ZON-009

1019 Central Avenue

Center Township, CD #15

Michael Kinsey requests Rezoning of 0.07 acre from the C-4 (RC) district to the D-8 (RC) classification.

REZONING ORDINANCE NO. 37, 2015.

2015-ZON-010

115 and 119 Davidson Street (Approximate Address)

Center Township, CD #19

Herman and Kittle Properties, Inc., by Joseph D. Calderon requests Rezoning of 0.121 acre, from the I-4-U (RC) District, to the CBD-2 (RC) classification to provide for a bark park and sports court.

REZONING ORDINANCE NO. 38, 2015.

2015-ZON-011

928 and 932 Dr. Martin Luther King Jr. Street

Center Township, CD #15

R P Lux Co Inc. % Profit Sharing Plan, by David and Justin Kingen request Rezoning of 0.21 acre from the I-3-U (HPS) to the D-8 (HPS) classification.

REZONING ORDINANCE NO. 39, 2015.

2015-ZON-013

8071 Knue Road (Approximate Address)

Lawrence Township, CD #5

Cedar Knoll Real Estate Investments, LLC , by Joseph D. Calderon request Rezoning of 3.1 acres from the C-3 district to the C-S classification to provide for a retail dry cleaning operation, a dry cleaning plant and C-1, C-3 and I-1-S uses.

REZONING ORDINANCE NO. 40, 2015.

2015-ZON-014

2936 Central Avenue (Approximate Address)

Center Township, CD #15

Habitat for Humanity of Greater Indianapolis, Inc., by David and Justin Kingen request Rezoning of 0.12 acre, from the C-1 District, to the D-5 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 41, 2015.

2014-CZN-842

11000 East Washington Street (Approximate Address)

Warren Township, CD #21

Giant Eagle Inc., by Wendy J. Nichols-Lowe request Rezoning of 4.8 acres from the SU-1 District to the C-3 classification to provide for a 6,125-square foot convenience store / gasoline station, with outdoor seating.

REZONING ORDINANCE NO. 42, 2015.

2015-ZON-007

5601 and 5621 Madison Avenue and 1525 East Dudley Avenue (Approximate Address)

Perry Township, CD #24

Jade Investments of Indy, Inc., by Jeffrey M. Bellamy request Rezoning of 0.30 acre from the D-3 district to the C-5 classification to legally establish and provide for automobile sales and repair and other commercial uses, and to modify Commitment Two of 94-Z-203 (5601 and 5621 Madison Avenue) to reduce the required east side and west front transitional yards (50-foot east side and 20-foot west front transitional yards required).

REZONING ORDINANCE NO. 43, 2015.

2015-ZON-015

8601 Shelby Street (Approximate Address)

Perry Township, CD #24

AHEPA Affordable Housing Management Company, Inc., by Todd Jensen request Rezoning of 4.05 acres from the D-A District to the HD-2 classification to provide for a 125-unit assisted living facility.

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REZONING ORDINANCE NO. 44, 2015.

2015-ZON-018

556 North Highland Avenue

Center Township, CD #16

Jay Parks and Michael Tarr request Rezoning of .114874 acre from the I-3-U district to the D-8 classification.

REZONING ORDINANCE NO. 45, 2015.

2015-CZN-809

5037 East 10th Street (Approximate address)

Center Township, CD #10

Evelyn Investments, Inc., by Russell L. Brown request Rezoning of 0.78 acre from the C-4 district to the C-3C classification to legally establish a four-unit multi-family building (not permitted).

REZONING ORDINANCE NO. 46, 2015.

2015-CZN-811

300 West Fall Creek Parkway, North Drive (Approximate Address)

Center Township, CD #15

Christ Temple Apostolic Faith Assembly Church, by David Kingen and Justin Kingen request Rezoning of 2.23 acres from the SU-1 (W-5) district to the C-S (W-5) district to provide for an approximately 60,000-square foot three-story building, with multi-family residential, daycare and an early childhood development center.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 123, 2015. The proposal, sponsored by Councillor Robinson, is a rezoning ordinance for Center Township, District 19, 340 South White River Parkway, West Drive (2014-CZN-835). The proposal was called out for public hearing on April 20, 2015 and then postponed again on May 11, 2015.

Councillor Miller made the following motion:

Madam President:

The petitioners continue to negotiate a resolution of the rezoning case at 340 South White River Parkway, West Drive, and petitioner has consented to a continuance of the hearing scheduled for this meeting.

I, therefore, move that the public hearing on Proposal No. 123, 2015 (Rezoning Docket No. 2014-CZN-835) be postponed and rescheduled for July 13, 2015.

Councillor Gray seconded the motion, and Proposal No. 123, 2015 was postponed by a unanimous voice vote.

PROPOSAL NO. 137, 2015. Councillor Adamson reported that the Public Works Committee heard Proposal No. 137, 2015 on May 7 and 21, 2015. The proposal, sponsored by Councillor Adamson, approves an additional appropriation of \$6,900,132 in the 2015 Budget of the Department of Public Works (Rebuild Indy and Transportation General Funds) to fund transportation infrastructure projects. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Freeman said that he has some serious reservations about the Department of Public Works (DPW) right now, and he believes BlueIndy needs to be tackled next. He said that he hopes this money actually goes to infrastructure and much needed roads and sidewalks. He said that he will rely upon the members of that committee to insure that these monies go where they should.

Councillor Tew said that they did ask that question, and was told they would bring it back to committee if any of it would go toward something else.

The President called for public testimony at 9:25 p.m. There being no one present to testify, Councillor Adamson moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 137, 2015 was adopted on the following roll call vote; viz:

29 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson
0 NAYS:

Proposal No. 137, 2015 was retitled FISCAL ORDINANCE NO. 24, 2015, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 2015

A FISCAL ORDINANCE amending the City-County Annual Budget for 2015 (City-County Fiscal Ordinance No. 258, 2014) appropriating an additional Six Million Nine Hundred Thousand One Hundred and Thirty-Two dollars (\$6,900,132) for purposes of the Department of Public Works.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2015 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Department of Public Works.

SECTION 2. Appropriates \$6,900,132 from the Rebuild Indy Fund, the Motor Vehicle Highway Fund, and the Local Road and Street Fund for the purposes of funding costs associated with transportation infrastructure projects.

The following additional appropriation is hereby approved:

| FUND | CHAR 1 | CHAR 2 | CHAR 3 | CHAR 4 | CHAR 5 | TOTAL |
|-------------------------------|--------|--------|--------|-----------|--------|-----------|
| Rebuild Indy (15009) | 0 | 0 | 0 | 5,392,338 | 0 | 5,392,338 |
| Motor Vehicle Highway (15152) | 0 | 0 | 0 | 1,457,013 | 0 | 1,457,013 |
| Local Road and Street (15153) | 0 | 0 | 0 | 50,781 | 0 | 50,781 |

SECTION 3. Upon approval of this, and other pending approvals, the projected 2014 year-end and 2015 year-end fund balance for the Rebuild Indy and Transportation General (Motor Vehicle Highway and Local Road and Street are sub-funds of Transportation General) funds are as follows:

| Fund | Projected 2014 year-end balance | Projected 2015 year-end balance |
|------------------------|---------------------------------|---------------------------------|
| Rebuild Indy | 11,346,213 | 1,632,374 |
| Transportation General | 2,620,393 | 1,841,314 |

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 250, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 250, 2014 on January 26, February 23 and May 18, 2015. The proposal, sponsored by Councillors Moriarty Adams and Miller, requests that the Metropolitan Development Commission initiate a proposal to consider amendments and/or additions to existing zoning ordinances in order to assess the use of outdoor digital advertising

signs in Marion County. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Moriarty Adams thanked everyone for their support, and said that a stakeholder group was added in the amendment. She said that 16 meetings have been held with neighborhood groups, some of which helped with some of the wording of the amendment. She thanked Councillors Gooden, Miller and Adamson for working together to find a compromise.

Councillor Lutz said that this is an entirely different proposal from what was introduced, and he will therefore be supporting it.

Councillor Mansfield said that she will not be supporting the proposal, as she finds it to be totally unnecessary. She said that the Department of Metropolitan Development (DMD) is currently working on zoning ordinances, and she was told beyond that, they would then be addressing any signage issues. She said a substantial amount of work was done 10 years ago, which went through the normal process. She said that she feels this proposal does nothing more than pander to the digital billboard industry as opposed to focusing on signage as a whole for the county. She said she feels this created a lot of adversarial neighborhood meetings that really were not necessary.

Councillor Freeman said this is not the proposal he hoped would come before the Council. He said no one can convince him that digital billboards are any more intrusive than regular billboards. He said that he supported a digital billboard for the Marion County Fairgrounds to help supplement their budget. He said that he hopes everyone gets a fair shake.

Councillor Adamson thanked everyone who worked on this, and said that it has gone through an extensive process and a lot of collaboration and cooperation.

Councillor Miller recognized the neighborhood leaders who spent countless volunteer hours attending meetings and providing presentations.

Councillor Scales said that she agrees with Councillor Mansfield and she does not trust that the Metropolitan Development Commission will be objective in this process.

Councillor McHenry said that she will not supporting this proposal because she opposes billboards as a whole, but she appreciates the input given by the neighborhoods.

Councillor Robinson moved, seconded by Councillor Adamson for adoption. Proposal No. 250, 2014 was adopted on the following roll call vote; viz:

25 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mascari, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew
4 NAYS: Holliday, Mansfield, McHenry, Scales

Proposal No. 250, 2014 was retitled SPECIAL RESOLUTION NO. 31, 2015, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 2015

A SPECIAL RESOLUTION requesting the Metropolitan Development Commission to initiate a proposal to consider amending Chapters 730 and 734 of the Revised Code of the Consolidated City and County for the purpose of assessing

the use of outdoor digital advertising signs in Marion County, and determining specific conditions and restrictions under which outdoor digital advertising signs should or should not operate.

WHEREAS, the City-County Council has exclusive jurisdiction under IC 36-4-7-601 to adopt zoning ordinances for Marion County, but is denied under IC 36-4-7-602 the authority to initiate proposals to amend those zoning ordinances; and

WHEREAS, outdoor advertising signs are currently prohibited; and

WHEREAS, (light emitting diode or LED) technology for outdoor advertising signs, as well as the types of uses for such signs, has evolved in recent years; and

WHEREAS, due to the evolution of digital/LED technology and its uses, the City-County Council believes it is prudent and in the best interest of the City and County that the Metropolitan Development Commission evaluate whether changes to the zoning regulations which would allow outdoor digital advertising signs in Marion County should be made, taking into consideration factors such as impact on residents and overall aesthetics across the city; and

WHEREAS, in the event the Metropolitan Development Commission determines that outdoor digital advertising signs should be allowed in Marion County, the Council requests that the Metropolitan Development Commission also determine the conditions and restrictions under which such signs should be allowed; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY
OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council requests the Metropolitan Development Commission (“MDC”) to initiate under IC 36-7-4-602(b) a proposal to consider whether to amend and/or make additions to existing zoning ordinances for the purpose of assessing outdoor advertising signs in Marion County.

SECTION 2. The City-County Council further requests that as part of its assessment of outdoor digital advertising signs, in the event the Metropolitan Development Commission determines that outdoor digital advertising signs should be allowed in Marion County, the MDC determine the conditions and restrictions under which such signs should be allowed.

SECTION 3. The City-County Council further requests the MDC to instruct the Department of Metropolitan Development (“DMD”) to appoint and convene a representative stakeholder group and to develop a public education and outreach plan to provide input for the MDC and DMD’s consideration in undertaking the processes and analyses described in Sections 1 and 2 above.

SECTION 4 . The Clerk of the Council is directed to deliver copies of this resolution to the Director of the Department of Metropolitan Development and to each member of the Metropolitan Development Commission.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 122, 2015. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 122, 2015 on April 27 and May 18, 2015. The proposal, sponsored by Councillors Miller, Osili and Adamson, authorizes the Metropolitan Development Commission to issue notes in an amount not to exceed \$12 million as part of the HUD Section 108 Loan Guarantee Program to support the Old City Hall project. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gray said that this project has a unique part to it with the 108 Loan Guarantee insuring that wages will be a little higher for those who work there.

Councillor Adamson said that he remembers when the Old City Hall hosted the museum with the large swinging pendulum. He said during the SuperBowl, with the temporary museum housed there, there was rain coming in through the roof, which was sad to see. He is happy to see that building restored to its grand state.

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Councillor Robinson moved, seconded by Councillor Osili, for adoption. Proposal No. 122, 2015 was adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Tew
2 NAYS: Holliday, Scales

Proposal No. 122, 2015 was retitled GENERAL RESOLUTION NO. 8, 2015, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 8, 2015

PROPOSAL FOR A GENERAL RESOLUTION to authorize the Metropolitan Development Commission acting as the Redevelopment Commission of Marion County and the Department of Metropolitan Development to execute debt obligation in an amount not to exceed Twelve Million Dollars for the rehabilitation and other eligible activities associated with the below-described project at the Old City Hall and the adjacent parking area, 202 and 222 North Alabama Street.

WHEREAS, the United States Department of Housing and Urban Development (HUD) under its section 108 loan guarantees (24 CFR Part 570 subpart M), offers communities a source of financing for certain community development activities; and

WHEREAS, such loan guarantees may be used to aid in the creation of jobs and aid in the elimination or prevention of slums and blight; and

WHEREAS, the City-County Council previously authorized the Metropolitan Development Commission to submit an application to the Department of Housing and Urban Development for such a loan guarantee; and

WHEREAS, the Department of Metropolitan Development has determined that a project whereby the Old City Hall will be rehabilitated and reused as a museum and public space and the adjacent parking lot will be acquired and used for a hotel (the project) will aid in the creation of jobs and aid in the elimination or prevention of slums and blight; and

WHEREAS, HUD requires the applicant to execute debt obligations and to pledge its current and future Community Development Block Grant (CDBG) funds as the principal security for the loan guarantee; and

WHEREAS, HUD may require additional security including, but not limited to revenue from the project; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby authorizes the Metropolitan Development Commission and the Department of Metropolitan Development to execute such documents as may be required in order to implement the application and issue debt obligations, in the form of Promissory Notes, thereto in an amount not to exceed Twelve Million Dollars.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 144, 2015. Councillor Adamson reported that the Public Works Committee heard Proposal No. 144, 2015 on May 7 and 21, 2015. The proposal, sponsored by Councillor Gooden, authorizes taxi and limousine parking on Broad Ripple Avenue (District 3). By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Oliver said that he opposes this proposal because he does not believe the reasoning behind eliminating parking being a public safety issue is justifiable. Councillor Gooden said that this is only on Friday and Saturday nights from 9:00 p.m. to 4:00 a.m. to allow for taxis for patrons of local bars to get a designated ride home.

Councillor Lutz asked if this impacts the parking meter contract due to the loss of these meters. Councillor Tew said that this is after 9:00 p.m. and meters are free after this time. He added that the businesses along this area support it, as do the neighborhood organizations.

Councillor Hunter said that IMPD officers actually requested the north side taxi lanes several years ago, and this does help tremendously with public safety.

Councillor Robinson asked how far from College Avenue going east this extends. Councillor Gooden said that this is for the south side of the street College Avenue and Guilford, as it is already on the north side of the street. Councillor Robinson asked how many parking spots are being restricted. Councillor Gooden said that he does not know specifically.

Councillor Gray said that he was surprised at the number of police officers along that strip late in the evening. He asked if they are on duty or are paid privately. Councillor Gooden said that it seems to be a mix of both.

Councillor Adamson said that 21 parking spaces will be affected according to DPW.

Councillor Adamson moved, seconded by Councillor Gray, for adoption. Proposal No. 144, 2015 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
1 NAY: Oliver

Proposal No. 144, 2015 was retitled GENERAL ORDINANCE NO. 32, 2015, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 32, 2015

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 621, Parking, Standing and Stopping Restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-403(c), Taxicab Stands, be, and the same is hereby amended by the addition of the following, to wit:

Broad Ripple Avenue, on the south side, from College Avenue to Guilford Avenue.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected,

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if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 149, 2015. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 149, 2015 on May 18, 2015. The proposal, sponsored by Councillor Evans, approves the statement of benefits for Harvard Drug Group, LLC to allow tax abatement for property located in an economic revitalization area. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Jackson asked what district this is located in. Councillor Robinson said that it is in District 1, Councillor Evans' district, at 8401 Bering Drive in an industrial park.

Councillor Robinson moved, seconded by Councillor Evans, for adoption. Proposal No. 149, 2015 was adopted on the following roll call vote; viz:

29 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson
0 NAYS:

Proposal No. 149, 2015 was retitled GENERAL RESOLUTION NO. 9, 2015, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 2015

PROPOSAL FOR A GENERAL RESOLUTION to approve the statement of benefits of The Harvard Drug Group, LLC (hereinafter referred to as "Applicant"), an applicant for tax abatement for property located in an allocation area as defined by IC 36-7-15.1-26.

WHEREAS, IC 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment, rehabilitation activities or installation of new equipment in Economic Revitalization Areas (each hereinafter referred to as a "Project"); and

WHEREAS, pursuant to IC 6-1.1-12.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (hereinafter referred to as "MDC") is empowered to designate Economic Revitalization Areas; and

WHEREAS, IC 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the MDC, before it makes a decision to designate the area as an Economic Revitalization Area, to determine that (i) the estimated value of a Project is reasonable for projects of that nature, (ii) the estimated employment at the indicated annual salaries for a Project identified in the statement of benefits can reasonably be expected, (iii) a Project can be reasonably expected to yield the benefits identified in the statement of benefits and (iv) the totality of benefits arising from a Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, pursuant to IC 6-1.1-12.1-2(k), a statement of benefits for property located within an allocation area, as defined by IC 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") adopts a resolution approving the statement of benefits; and

WHEREAS, the Applicant has submitted a real property Statement of Benefits to the MDC as part of its application for Economic Revitalization Area designation for property where Applicant's Project will occur, located within an allocation area, as defined by IC 36-7-15.1-26; and

WHEREAS, MDC has preliminarily approved Applicant's Statement of Benefits, pending adoption from the Council, to allow the designation of the Economic Revitalization Area and related tax abatement pursuant to IC 6-1.1-12.1; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby approves the Statement of Benefits that was submitted to the MDC, as part of the application for Economic Revitalization Area designation, by The Harvard Drug Group, LLC.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Ind. Code 36-3-4-14.

PROPOSAL NO. 151, 2015. Councillor Gray reported that the Municipal Corporations Committee heard Proposal No. 151, 2015 on May 27, 2015. The proposal, sponsored by Councillors Gray and Lutz, approves the Library Capital Project Fund Plan of the Indianapolis-Marion County Public Library for 2016-2018. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gooden asked for consent to abstain from voting to avoid the appearance of a conflict as his law firm performs some representation for the library. Consent was given.

Councillor Gray moved, seconded by Councillor Lutz, for adoption. Proposal No. 151, 2015 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew
0 NAYS:
1 NOT VOTING: Gooden

Proposal No. 151, 2015 was retitled GENERAL RESOLUTION NO. 10, 2015, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 10, 2015

A PROPOSAL FOR A GENERAL RESOLUTION approving the Library Capital Project Fund Plan of the Indianapolis – Marion County Public Library.

WHEREAS, pursuant to I.C. 36-12-12-3, the Indianapolis-Marion County Library Board adopted its Library Capital Projects Fund Plan for 2016-2018 on April 27, 2015, and certified the plan to the City-County Council on April 30, 2015; and

WHEREAS, pursuant to I.C. 36-12-12-4 the City-County Council is required to hold a public hearing on the plan within thirty days of its receipt and either approve or reject the plan before August 1, 2015; and

WHEREAS, the City-County Council advertised and held the public hearing on the plan before its Municipal Corporations Committee on May 27, 2015; and

WHEREAS, the Indianapolis – Marion County Public Library is an integral and necessary component of the quality of life we enjoy in Indianapolis – Marion County. By its services, it makes major contributions to the education and information availability provided to our citizens and contributes to the economic and cultural development of our community; and

WHEREAS, the City-County Council recognizes the Library's need to upgrade its service components and facilities in order to sustain and to improve the services offered to the citizens in our community; and

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WHEREAS, the City-County Council hereby endorses the concept as expressed in the Library's Capital Projects Fund Plan for 2016-2018 as adopted by the Indianapolis-Marion County Public Library Board of Trustees; now, therefore:

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Library Capital Projects Fund Plan adopted by the Indianapolis-Marion County Public Library Board of Trustees on April 27, 2015 is hereby approved.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with I.C. 36-3-4-14.

NEW BUSINESS

Councillor Adamson said that the NESCO games are coming up, and he asked people to see what all is available at nescogames.com.

Councillor McHenry invited everyone to the Westside Chamber of Commerce Job Fair this Wednesday from 10:00 a.m. to 2:00 p.m. at the Pike Performing Arts Center on Zionsville Road between 65th and 75th Streets.

Councillor Lewis congratulated Robert Vane on his recent marriage, Councillor Freeman on his 10-year anniversary and Councillor Barth on his 19-year anniversary.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor McQuillen stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor McQuillen in memory of Lynda Powell Durnil; and
- (2) Councillor Miller in memory of Irene Grider; and
- (3) Councillor Cain in memory of James Solenberg ; and
- (4) Councillors Pfisterer and Moriarty Adams in memory of Richard Gaulden, Harry Poland, Eugene Patrick and William Denton; and
- (5) Councillor Freeman in memory of Dorothy Peek; and
- (6) Councillor Holliday in memory of Bill Huffman; and
- (7) Councillor Lewis in memory of Laura Radford; and
- (8) Councillor McHenry in memory of Captain Glenda Mercer; and
- (9) Councillor Osili in memory of Sam Young.

Councillor McQuillen moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of by Councillor McQuillen in memory Lynda Powell Durnil ,of Lynda (Powell) Durnil. Irene Grider, James Solenberg, Richard Gaulden, Harry Poland, Eugene Patrick, William Denton, Dorothy Peek, Bill Huffman, Laura Radford, Captain Glenda Mercer, and Sam Young. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:55 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 8th day of June, 2015.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:


Clerk of the Council

(SEAL)